

EXHIBIT A

1345723

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

July 20, 2005

THE ATTACHED U.S. TRADEMARK REGISTRATION 1,140,958 IS
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES
PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 20 YEARS FROM *October 28, 1980*
1st RENEWAL FOR A TERM OF 10 YEARS FROM *October 28, 2000*
SECTION 8 PARTIAL & 15

AMENDMENT/CORRECTION/NEW CERT(SEC7) ISSUED
LESS GOODS

CLASS(ES) CANCELLED:

INT CL 35

SAID RECORDS SHOW TITLE TO BE IN:

VAN SCOY, WAYNE

AN INDIVIDUAL OF THE UNITED STATES

By Authority of the
Under Secretary of Commerce for Intellectual Property
and Director of the United States Patent and Trademark Office



N. Williams
N. WILLIAMS

Certifying Officer

EXHIBIT A

00414

Int. Cl.: 42

Prior U.S. Cl.: 101

Reg. No. 1,140,958

United States Patent and Trademark Office Registered Oct. 28, 1980

10 Year Renewal/New Cert.

Renewal Term Begins Oct. 28, 2000

**SERVICE MARK
PRINCIPAL REGISTER
REGISTRATION ASSIGNED**

VAN SCOY DIAMOND MINE

VAN SCOY, WAYNE (UNITED STATES
CITIZEN)
154 MUNDY STREET
WILKES-BARRE, PA 18702, BY ASSIGN-
MENT VAN SCOY DIAMOND MINES,
INC. (PENNSYLVANIA CORPORA-
TION) EDWARDSVILLE, PA

APPLICANT MAKES NO CLAIM TO
THE EXCLUSIVE USE OF THE WORD
"DIAMOND" APART FROM THE MARK
AS SHOWN IN THE DRAWINGS, BUT
RESERVES ANY COMMONLAW RIGHTS
IT MAY HAVE THEREIN.

FOR: [RENDERING OF TECHNICAL
AID AND ASSISTANCE IN THE ESTAB-
LISHMENT AND/OR OPERATION OF
RETAIL JEWELRY STORES], IN CLASS
35 (U.S. CLS. 100, 101 AND 102).
FIRST USE 5-26-1977; IN COMMERCE
5-26-1977.

FOR: RETAIL JEWELRY STORE SER-
VICES, IN CLASS 42 (U.S. CL. 101).
FIRST USE 11-0-1976; IN COMMERCE
3-11-1977.
SER. NO. 73-169,527, FILED 5-8-1978.

*In testimony whereof I have hereunto set my hand
and caused the seal of The Patent and Trademark
Office to be affixed on Oct. 2, 2001.*

DIRECTOR OF THE U.S. PATENT AND TRADEMARK OFFICE

00415

Int. Cls.: 35 and 42

Prior U.S. Cl.: 101

United States Patent and Trademark Office

Reg. No. 1,140,958

Registered Oct. 28, 1980

SERVICE MARK

Principal Register

VAN SCOY DIAMOND MINE

Van Scoy Diamond Mines, Inc. (Pennsylvania
corporation)
Gateway Shopping Center
Edwardsville, Pa. 18704

For: ~~RENDERING OF TECHNICAL AID
AND ASSISTANCE IN THE ESTABLISHMENT
AND/OR OPERATION OF RETAIL JEWELRY
STORES~~, in CLASS 35 (U.S. Cl. 101).

First use May 26, 1977; in commerce May 26,
1977.

For: RETAIL JEWELRY STORE SERVICES,
in CLASS 42 (U.S. Cl. 101).

First use Nov. 1976; in commerce Mar. 11, 1977.

Applicant makes no claim to the exclusive use of
the word "Diamond" apart from the mark as shown
in the drawings, but reserves any commonlaw rights
it may have therein.

Ser. No. 169,527, filed May 8, 1978.

ROBERT PEVERADA, Primary Examiner

00416

EXHIBIT B

1345723



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

July 20, 2005

THE ATTACHED U.S. TRADEMARK REGISTRATION 1,140,711 IS
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES
PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 20 YEARS FROM *October 21, 1980*
1st RENEWAL FOR A TERM OF 10 YEARS FROM *October 21, 2000*
SECTION 8 & 15

AMENDMENT/CORRECTION/NEW CERT(SEC7) ISSUED
SAID RECORDS SHOW TITLE TO BE IN:

VAN SCOY, WAYNE

AN INDIVIDUAL OF THE UNITED STATES

By Authority of the
Under Secretary of Commerce for Intellectual Property
and Director of the United States Patent and Trademark Office




N. WILLIAMS
Certifying Officer

EXHIBIT B

00417

Int. Cl.: 14

Prior U.S. Cl.: 28

Reg. No. 1,140,711

United States Patent and Trademark Office

Registered Oct. 21, 1980

10 Year Renewal/New Cert.

Renewal Term Begins Oct. 21, 2000

**TRADEMARK
PRINCIPAL REGISTER
REGISTRATION ASSIGNED**

VAN SCOY DIAMOND MINE

VAN SCOY, WAYNE (UNITED STATES
CITIZEN)

154 MUNDY STREET

WILKES-BARRE, PA 18702, BY ASSIGN-
MENT VAN SCOY DIAMOND MINES,
INC. (PENNSYLVANIA CORPORA-
TION) EDWARDSVILLE, PA

APPLICANT MAKES NO CLAIM TO
THE EXCLUSIVE USE OF THE WORD
"DIAMOND" APART FROM THE MARK
AS SHOWN, BUT RESERVES ANY COM-
MON LAW RIGHTS IT MAY HAVE
THEREIN.

FOR: JEWELRY AND PRECIOUS
STONES, IN CLASS 14 (U.S. CL. 28).

FIRST USE 3-11-1977; IN COMMERCE
3-11-1977.

SER. NO. 73-169,526, FILED 5-8-1978.

*In testimony whereof I have hereunto set my hand
and caused the seal of The Patent and Trademark
Office to be affixed on Oct. 2, 2001.*

DIRECTOR OF THE U.S. PATENT AND TRADEMARK OFFICE

00418

Int. Cl.: 14

Prior U.S. Cl.: 28

United States Patent and Trademark Office

Reg. No. 1,140,711
Registered Oct. 21, 1980

TRADEMARK
Principal Register

VAN SCOY DIAMOND MINE

Van Scoy Diamond Mines, Inc. (Pennsylvania
corporation)
Gateway Shopping Center
Edwardsville, Pa. 18704

For: JEWELRY AND PRECIOUS STONES, in
CLASS 14 (U.S. Cl. 28).

First use Mar. 11, 1977; in commerce Mar. 11,
1977.

Applicant makes no claim to the exclusive use of
the word "Diamond" apart from the mark as shown,
but reserves any common law rights it may have
therein.

Ser. No. 169,526, filed May 8, 1978.

ROBERT PEVERADA, Primary Examiner

00419

EXHIBIT C

IN THE UNITED STATES DISTRICT COURT
THE DISTRICT OF DELAWARE

WAYNE VAN SCOY

PLAINTIFF

C.A.NO. 05-108 (KAJ)

V.

VAN SCOY DIAMOND MINE OF
DELAWARE, INC.,
KURT VAN SCOY AND
DONNA VAN SCOY

DEFENDANTS

DECLARATION OF WAYNE VAN SCOY

I, Wayne Van Scoy, declare and say as follows:

1. I am the Plaintiff in this action.
2. I am the owner of Federal Trademark Registration No. 1,140,711 and Federal Service Mark Registration No. 1,140,958 both for the marks "VAN SCOY DIAMOND MINE" (the "Marks at Issue"). Both Registrations are in full force and effect and have been made incontestable under Section 15 of the Trademark Act.
3. The Marks at Issue were originally registered by my father's corporation, Van Scoy Diamond Mines, Inc., in 1980.
4. My father filed for bankruptcy on September 23, 1994 in the United States Bankruptcy Court For The Middle District Of Pennsylvania and as a result of the Bankruptcy the Marks at Issue became part of the Bankruptcy Estate.
5. Adversarial proceedings were initiated in 1996 against me and several other Van Scoy family members seeking to enjoin us from using the marks VAN SCOY

DIAMOND MINE. The Complaint initiating these proceedings which is attached as Exhibit 1 to my declaration and as Exhibit H to my Answering Brief asserted that "Van Scoy Diamond Mines" is a registered trade mark of Thomas A. Van Scoy.

6. I acquired the marks, associated good will and registrations pursuant to a settlement approved by the United States Bankruptcy Court for the Middle District of Pennsylvania by its Order of January 4, 2001.

7. I filed an application to renew Federal Trademark Registration No. 1,140,711 and Federal Service Mark Registration No. 1,140,958 in April 2001. At the time I filed these applications I believed that the federal registrations had been part of the bankruptcy estate of my father and validly transferred to me. Additionally, at the time I filed the applications I believed the applications to be true and accurate.

8. I have used the marks continuously since acquiring them in January of 2001 in connection with jewelry and the retail jewelry store I operate in Wilkes-Barre, Pennsylvania.

9. I have personal knowledge of the facts set forth in this Declaration unless specifically indicated otherwise.

Wayne Van Scoy deposes and says that he is the Plaintiff in this matter; that the foregoing is true and correct to the best of his knowledge and belief; that statements made on information and belief are believed to be true; and that pursuant to 28 U.S.C. §1746, he declares under penalty of perjury that the foregoing is true and correct.

Date: 1-30-06

Wayne Van Scoy
Wayne Van Scoy
Plaintiff

CLERK OF THE DISTRICT COURT

**In the United States Bankruptcy Court
for the Middle District of Pennsylvania**

In re:

Thomas A. Van Scoy t/a
Van Scoy Diamond Mines,

Debtor.

Case Number 5-94-01241
Chapter 7

Robert P. Sheils, Jr., Trustee in
Bankruptcy for Thomas A. Van Scoy t/a
Van Scoy Diamond Mines,

Plaintiff,

v.

Betsy Williams a/k/a/
Elizabeth Williams and Rich
Williams a/k/a Richard Williams
i/t/a Van Scoy Diamond Mines,
Pamela Sendrick and Richard
Sendrick i/t/a Van Scoy Diamond
Mines, and Wayne Van Scoy i/t/a
Van Scoy Diamond Mines,

Defendants.

CERTIFIED FROM THE RECORD this 15th
day of December, 2005

Clerk, U.S. Bankruptcy Court

Per Alan P. Montesi

Deputy Clerk

Adversary Number:

5-96-00196A

Complaint of Robert P. Sheils, Jr., Esquire, Trustee

Robert P. Sheils, Jr., Esquire, Trustee in Bankruptcy for Thomas A. Van Scoy

EXHIBIT 1

t/a Van Scoy Diamond Mine, hereby makes the following complaint against Betsy Williams a/k/a/ Elizabeth Williams and Rich Williams a/k/a Richard Williams i/t/a Van Scoy Diamond Mines, Pamela Sendrick and Richard Sendrick i/t/a Van Scoy Diamond Mines, and Wayne Van Scoy i/t/a Van Scoy Diamond Mines:

The Parties

1. The plaintiff is Robert P. Sheils, Jr., Esquire, the duly appointed and qualified trustee in bankruptcy for Thomas A. Van Scoy t/a Van Scoy Diamond Mines.
2. The defendants Betsy Williams a/k/a/ Elizabeth Williams and Rich Williams a/k/a Richard Williams are adult individuals who trade and do business as Van Scoy Diamond Mines. These defendants maintain a place of business at 4700 Vestal Parkway East, Vestal Plaza, Binghamton, New York 13903. It is believed and therefore averred that these defendants are married to each other.
3. The defendants Pamela Sendrick and Richard Sendrick are adult individuals who trade and do business as Van Scoy Diamond Mines. These defendants maintain a place of business at Keyser Oak Plaza, Scranton, Pennsylvania 18504. It is believed and therefore averred that these defendants are married to each other.
4. The defendant Wayne Van Scoy is an adult individual who trades and does business as Van Scoy Diamond Mines. The defendant maintain a place of business at 154 Mundy Street, Wilkes-Barre, Pennsylvania 18702. The defendant resides at 360 Joseph Drive, Kingston, Pennsylvania 18704.

5. Defendants Betsy Williams a/k/a Elizabeth Williams, Pamela Sendrick and Wayne Van Scoy are the children of Thomas A. Van Scoy, the debtor in this proceeding, and Elizabeth Van Scoy, husband and wife.

Jurisdiction

6. This adversary proceeding arises out of and relates to the chapter 7 case of Thomas A. Van Scoy t/a Van Scoy Diamond Mines, Case Number 5-94-01241 on the docket of this court. This court has jurisdiction over this adversary proceeding pursuant to 28 U.S.C. §§ 157, 1334 and 11 U.S.C. §§ 105, 542 and 548. This is a core proceeding under 28 U.S.C. § 157(b)(A), (E), (H), and (O).

Facts

7. This proceeding was commenced on September 23, 1994 when Thomas A. Van Scoy filed a voluntary case under chapter 13 of the Bankruptcy Code. On November 29, 1994 the case was converted to a case under chapter 11. On December 29, 1994 the case was converted to a case under chapter 7 of the Bankruptcy Code.

10. Upon conversion of the case to a case under chapter 7 of the Bankruptcy Code, Robert P. Sheils, Jr., Esquire, was appointed trustee in this case, qualified to serve as trustee and has continued in that capacity since his appointment.

11. For many years prior to his bankruptcy Thomas A. Van Scoy conducted a retail jewelry business from diverse location under the name "Van Scoy Diamond Mines."

12. "Van Scoy Diamond Mines" is a registered trade mark of Thomas A. Van Scoy.

13. The trade mark of "Van Scoy Diamond Mines" is a scheduled, non-exempt asset of the Debtor, Thomas A. Van Scoy.

14. Within one year of his bankruptcy Thomas A. Van Scoy owned and operated Van Scoy Diamond Mine stores at the following locations: 154 Mundy Street, Wilkes-Barre, Pennsylvania; Keyser Oak Plaza, Scranton, Pennsylvania; and 4700 Vestal Parkway East, Vestal Plaza, Binghamton, New York.

15. Within one year of bankruptcy Thomas A. Van Scoy transferred the 4700 Vestal Parkway East, Vestal Plaza, Binghamton, New York store to Elizabeth Williams and Richard Williams and the Keyser Oak Plaza, Scranton, Pennsylvania store to Pamela Sendrick and Richard Sendrick.

16. Prior to bankruptcy and through the present time the Defendants Elizabeth William and Richard Williams and the Defendants Pamela Sendrick and Richard Sendrick have used the trade mark "Van Scoy Diamond Mines."

17. At some time subsequent to October 1, 1995 the Defendant Wayne Van Scoy began to use the trade mark "Van Scoy Diamond Mines."

18. The trade mark "Van Scoy Diamond Mines" is property of this estate.

19. The use of the trade mark "Van Scoy Diamond Mines" was never authorized by the Trustee or this Court.

20. The estate has been damaged and these Defendants have been unjustly

enriched by the illegal use of the trade mark "Van Scoy Diamond Mines."

Wherefore, the Trustee prays that these Defendants be permanently enjoined from using the trade mark "Van Scoy Diamond Mines" and that they be compelled to account to the Trustee for their profits from the illegal use of the trade mark.

Doran & Nowalis

Dated: July 3, 1996.

By: 

Robert C. Nowalis, Esquire, I.D. 21970
69 Public Square, Suite 700
Wilkes-Barre, Pennsylvania 18701
717-823-9111

Attorneys for Robert P. Sheils, Jr.,
Esquire, Trustee.

PLAINTIFFS

Robert P. Sheils, Jr., Trustee in
Bankruptcy for Thomas A. Van Scoy t/a
Van Scoy Diamond Mines,

DEFENDANTS

Betsy Williams a/k/a
Elizabeth Williams and Rich
Williams a/k/a Richard Williams
i/t/a Van Scoy Diamond Mines,
Pamela Sendrick and Richard
Sendrick i/t/a Van Scoy Diamond
Mines, and Wayne Van Scoy i/t/a
Van Scoy Diamond Mines,

ATTORNEYS (Firm Name, Address, and Telephone No.)

Doran & Nowalis (717) 823-9111
Robert C. Nowalis, Esquire
69 Public Square - Suite 700
Wilkes-Barre, Pennsylvania 18701-2588

ATTORNEYS (If Known)

Not known

5-94-01241

PARTY (Check one box only)

☐ 1 U.S. PLAINTIFF

☐ 2 U.S. DEFENDANT

☒ 3 U.S. NOT A PARTY

CAUSE OF ACTION (WRITE A BRIEF STATEMENT OF CAUSE OF ACTION, INCLUDING ALL U.S. STATUTES INVOLVED)

Trade Mark violation - Accounting and Injunction

NATURE OF SUIT

(Check the one most appropriate box only.)

☒ 454 To Recover Money or Property

☐ 435 To Determine Validity, Priority, or
Extent of a Lien or Other Interest in
Property

☐ 458 To obtain approval for the sale of
both the interest of the estate and
of a co-owner in property

☐ 424 To object or to revoke a discharge
11 U.S.C. §727

☐ 455 To revoke an order of confirmation
of a Chap. 11 or Chap. 13 Plan
☐ 426 To determine the dischargeability
of a debt 11 U.S.C. §523

☐ 434 To obtain an Injunction or other
equitable relief

☐ 457 To subordinate any allowed claim
or interest except where such
subordination is provided in a plan

☐ 456 To obtain a declaratory judgment
relating to any of foregoing causes
of action

☐ 459 To determine a claim or cause of
action removed to a bankruptcy
court

☐ 498 Other (specify)

ORIGIN OF

PROCEEDINGS

☒ 1 Original
Proceeding

☐ 2 Removed
Proceeding

☐ 4 Reinstated
or Reopened

☐ 5 Transferred
from Another
Bankruptcy
Court

☐ CHECK IF THIS IS A CLASS
ACTION UNDER F.R.C.P. 23

(Check one box only.)

DEMAND

NEAREST THOUSAND
\$ Unliquidated

OTHER RELIEF SOUGHT
Injunction

☐ JURY
DEMAND

BANKRUPTCY CASE IN WHICH THIS ADVERSARY PROCEEDING ARISES

NAME OF DEBTOR

Thomas A. Van Scoy t/a Van Scoy Diamond Mines

BANKRUPTCY CASE NO.

5-94-01241

DISTRICT IN WHICH CASE IS PENDING

DIVISIONAL OFFICE

Middle District of Pennsylvania Wilkes-Barre

NAME OF JUDGE
Judge Thomas

PLAINTIFF

RELATED ADVERSARY PROCEEDING (IF ANY)

DEFENDANT

ADVERSARY PROCEEDING NO.

DISTRICT

DIVISIONAL OFFICE

NAME OF JUDGE

FILING FEE (Check one box only.)

☐ FEE ATTACHED

☐ FEE NOT REQUIRED

☒ FEE IS DEFERRED

DATE

PRINT NAME

SIGNATURE OF ATTORNEY (OR PLAINTIFF)

July 3, 1996

Robert C. Nowalis

[Signature]

EXHIBIT D

EXPRESS MAIL CERTIFICATE

NO. EL840038641US

CLERK U.S. BANKRUPTCY COURT

2001 JAN -4 PM 5:00

WILKES-BARRE, PA

FILED

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF PENNSYLVANIA

IN RE

CHAPTER 7

THOMAS VAN SCOY

DEBTOR

NO.: 5-94-01241

ORDER APPROVING AGREEMENT IN SETTLEMENT OF ADVERSARY
PROCEEDINGS AND CONTESTED MATTERS, WITH RELEASES
AND OTHER PROVISIONS

AND NOW this 4th day of January, 2009, upon consideration and review of the Agreement In Settlement of Adversary Proceedings and Contested Matters; with Releases and Other Provisions; and after notice and a hearing, it is

ORDERED, that the Agreement in Settlement of Adversary Proceedings and Contested Matters, with Releases and Other Provisions is hereby APPROVED as an order of this Court and the parties are directed to comply with its terms; and it is further

ORDERED, that in Adversary No. 5-95-00347A, the order entered on September 16, 1999, denying the Debtor, Thomas Van Scoy his chapter 7 discharge is hereby VACATED; the Debtor shall receive a chapter 7 discharge by a separate order of this Court; and this adversary proceeding is hereby dismissed with prejudice; and it is further

EXHIBIT D

00034

ORDERED, that the order dated October 5, 1999, in the main bankruptcy case, allowing an administrative claim in the amount of \$21,225.00 is hereby VACATED; and the motion filed by Thomas and Elizabeth Van Scoy seeking an administrative expense is hereby dismissed with prejudice; and it is further

ORDERED, that in Adversary No. 5-96-00180A, the judgment entered against Mr. and Mrs. Thomas Van Scoy in the amount of \$146,683.43 is hereby VACATED; and the Complaint filed by the Trustee is hereby dismissed with prejudice; and it is further

ORDERED, that in Adversary No. 5-96-00196A, the order enjoining the use of the trademark "Van Scoy Diamond Mines" is hereby VACATED, except as to Richard and Betsy Williams, who are not parties to the Agreement; and any order requiring an accounting by any party is hereby VACATED, except as to Richard and Betsy Williams, who are not parties to the Agreement; and any order of civil contempt is hereby VACATED, except as to Richard and Betsy Williams, who are not parties to the Agreement; and the Complaint is hereby dismissed with prejudice, except as to Richard and Betsy Williams, who are not parties to the Agreement; and it is further

ORDERED, in Adversary No. 5-95-00195A, the judgment against Richard and Betsy Williams shall not be VACATED, and the Complaint of the

Plaintiff/Trustee shall not be dismissed; Wayne Van Scoy is hereby substituted for the Trustee as the party Plaintiff in the adversary; and it is further

ORDERED, that in Adversary No. 5-96-00194A, the judgment against Richard and Pamela Sendrick is hereby VACATED; and the Complaint of the Plaintiff/Trustee is dismissed with prejudice; and it is further

ORDERED, that in Adversary No. 5-99-00077A, the Complaint of the Plaintiff/Trustee is hereby dismissed with prejudice; and it is further

ORDERED, that the objections filed by the Debtor to the Trustee's Application to Compensate Accountants are hereby dismissed with prejudice; and it is further


ORDERED, that the Motion to Compel Abandonment and for Valuation filed by Thomas Van Scoy in the main bankruptcy case is hereby dismissed with prejudice; and it is further

ORDERED, that the above-captioned chapter 7 estate shall hereafter have no further right, title and interest in the trademark "Van Scoy Diamond Mines" and such trademark shall become the sole and exclusive property of Wayne Van Scoy; and it is further

ORDERED, that settlement proceeds of \$70,000.00 shall be paid to Robert P. Sheils, Trustee, as follows: \$45,000.00 shall be paid by Wayne Van Scoy; and

\$25,000.00 shall be paid by Richard and Pamela Sendrick; and these amounts shall be paid no later than January 2, 2001.

BY THE COURT:



JOHN J. THOMAS, JUDGE
U.S. BANKRUPTCY COURT

Wilkes-Barre, Pennsylvania

cc: Joseph G. Murray, Esquire
Robert C. Nowalis, Esquire
Richard and Betsy Williams
Peter J. Hoegen, Esquire
U.S. Trustee's Office
Robert P. Sheils, Jr., Esquire

EXHIBIT E



Michael F. Petock, Esquire
46 The Commons at Valley Forge
1220 Valley Forge Road
P.O. Box 856
Valley Forge, PA 19482-0856

EXPRESS MAIL UNITED STATES POSTAL SERVICE®		POST OFFICE TO ADDRESSEE		<p>EL 840086641-08</p> <p>APR 16 2001</p> <p>SEE REVERSE SIDE FOR SERVICE GUARANTEE AND LIMITS ON INSURANCE COVERAGE 19481-9998</p>	
ORIGIN (POSTAL USE ONLY)					
PO ZIP Code 19481	Day of Delivery First <input checked="" type="checkbox"/> Second <input type="checkbox"/>	Flat Rate Envelope <input type="checkbox"/>			
Date M 4-16-01	Time 11:57 AM	Postage \$ 12.25	Return Receipt Fee		
Weight 6.3 oz	Int'l Alpha Country Code	COD Fee	Insurance Fee		
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Acceptance Clerk Initials ZK	Total Postage & Fees \$ 12.25			
CUSTOMER USE ONLY					
METHOD OF PAYMENT					
Express Mail Corporate Acct. No.					
Federal Agency Acct. No. or Postal Service Acct. No.					
FROM: (PLEASE PRINT) LAW OFFICES/MICHAEL F. PETOCK 46 THE COMMONS AT VALLEY FORGE 1220 VALLEY FORGE RD P O BOX 856 VALLEY FORGE PA 19482-0856		TO: (PLEASE PRINT) Box POST REG FEE COMMISSIONER FOR TRADEMARKS 2900 CRYSTAL DR ARLINGTON VA 22202-4314			
PHONE (610) 935-8600		PHONE			
FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.com					

EXHIBIT E

00019

Docket No. 443-1 & -2

Serial No. _____

Name (Matter) Renewal Appls in Regs. 1,140,711 & 1,140,958 for

Mark "VAN SCOY DIAMOND MINE"

Hon. Commissioner of Patents and Trademarks	Complete Application: <u>2 Renewal Appls, Sec 9</u> Amendment: <u>and Sec 8 & Cover Sheet</u> Fee \$ <u>1,715.00</u>
Sir:	
Please acknowledge receipt of this	<u>Reg 1,140,711 - inside box specimen</u>
paper by stamping	<u>Reg 1,140,958 - Certificate & sales receipt</u>
the date received	<u>specimens;</u>
and returning this	<u>Trademark Recordation Cover Sheet with</u>
card to the	<u>Bankruptcy Court Order of 1/4/01 and</u>
addressee.	<u>Memorandum re: Transfer; Letter of MEP.</u>
Respectfully,	

Express Mail No. EL840038641 US

MICHAEL F. PETOCK, ESQ.


00020

CERTIFICATE OF MAILING BY EXPRESS MAIL

EXPRESS MAIL Mailing Label No.: EL840038641US

Date of Deposit: April 16, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to Box POST REG FEE, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513.


Actual Mailer: Rachel K. McCurdy
46 The Commons at Valley Forge
1220 Valley Forge Road
P.O. Box 856
Valley Forge, PA 19482-0856
(610) 935-8600
Facsimile: (610) 701-0604

- Document(s) Express Mailed:(1) Registration No. 1,140,711:
Combined Application for Renewal Under Section 9 and Declaration under Section 8 including specimen in the form of the inside of a box; Fee: \$825.00
- (2) Registration No. 1,140,958:
Combined Application for Renewal Under Section 9 and Declaration under Section 8 including certificate and sales receipt specimens; Fee: \$825.00
- (3) Trademark Recordation Cover Sheet; Order of the United States Bankruptcy Court for the Middle District of Pennsylvania dated 1/4/01 in the matter of re: Thomas Van Scoy, Debtor including Memorandum Re: Transfer of Trademark and Service Mark, Registrations, Good Will and Right to Recover for Past Infringement; Fee: \$65.00
- (4) Letter of Michael F. Petock, Esquire.

00021

EXPRESS MAIL CERTIFICATE
No. EL840038641 US

FAX 610-933-9300
MFP@IPLaw-Petock.com
www.IPLaw-Petock.com

LAW OFFICES OF
MICHAEL F. PETOCK
INTELLECTUAL PROPERTY ATTORNEY
46 THE COMMONS AT VALLEY FORGE
1220 VALLEY FORGE ROAD
POST OFFICE BOX 856
VALLEY FORGE, PENNSYLVANIA 19482-0856

PATENT, TRADEMARK
AND
RELATED MATTERS

TELEPHONE
610-935-8600

April 16, 2001

Box POST REG FEE
Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

ATTORNEY DOCKET 443-2


Dear Sir:

I am enclosing herewith the following document(s) set forth below, which are to be filed in the Patent and Trademark Office.

Please charge all government fees with respect to the here-enclosed document(s) to my Deposit Account #16-1428. All government fees with respect to the enclosed document(s) are to be charged to this Deposit Account in the correct amount whether or not the correct amount of the fee or any amount of the fee is indicated below.


Please immediately date stamp and return to me the enclosed postage prepaid post card as acknowledgement of receipt of the enclosed document(s).

Respectfully submitted,


MICHAEL F. PETOCK, ESQUIRE

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to: Box Post Reg Fee, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA on April 16, 2001.

Respectfully submitted,


MICHAEL F. PETOCK, ESQUIRE

MFP/rkm

Trademark Entitled: VAN SCOY DIAMOND MINE

Registration No.: 1,140,711

Filed By: Van Scoy Diamond Mines, Inc.

ENCLOSED: Combined Application for Renewal Under Section 9 and Declaration under Section 8 including specimen in the form of the inside of a box for holding the goods

FEE: \$825.00

00022

EXPRESS MAIL CERTIFICATE
NO. EL840038641US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mark: VAN SCOY DIAMOND MINE

Registration No.: 1,140,711

International Class: 14

COMBINED APPLICATION FOR RENEWAL UNDER SECTION 9
AND DECLARATION UNDER SECTION 8

TO THE COMMISSIONER OF PATENTS AND TRADEMARKS:

Wayne Van Scoy, an individual having a principal place of business at 154 Mundy Street, Wilkes-Barre, Pennsylvania 18702, now owns Registration No. 1,140,711 issued October 21, 1980 by reason of a transfer of rights via a Bankruptcy Proceeding of all right and title to said trademark registration, said trademark and the good will associated with said trademark, said transfer of rights being submitted herewith for recording in the Patent and Trademark Office, be renewed in accordance with the provisions of Section 9 of the Act of July 5, 1946. The registrant requests that the registration be renewed for jewelry and precious stones in International Class 14.

Pursuant to Section 8 of the Trademark Act, the owner is using through a related company the mark in commerce on or in connection with jewelry and precious stones, as evidenced by the attached specimen in the form of the inside of a box for holding the goods showing the mark as currently used in commerce.

If possible, it is requested that the renewed registration be issued with a new certificate of registration (reprinted) showing Wayne Van Scoy as the owner of the

registration. If necessary, you are authorized to procure a trademark title report showing recorded title in the name of Wayne Van Scoy.

Wayne Van Scoy declares: that he is the owner of Registration No. 1,140,711, that the mark shown therein is in use through a related company in interstate commerce in connection with jewelry and precious stones as recited in the registration; that the attached specimen in the form of the inside of a box for holding the goods shows the mark as currently used in connection with said goods; that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or document or any registration resulting therefrom.

Please recognize Michael F. Petock, Esquire, a member of the Bars of the Supreme Court of the United States and the Supreme Court of Pennsylvania, Registration No. 26,015, who has a mailing address of P.O. Box 856, Valley Forge, Pennsylvania 19482-0856 and a street address of 1220 Valley Forge Road, Valley Forge, Pennsylvania 19482-0856, telephone number (610) 935-8600, facsimile number (610) 933-9300, as my attorney with full power of substitution and revocation to prosecute this application and to transact all business in connection therewith.


Date: 4-13-01

Wayne Van Scoy
Wayne Van Scoy

You are authorized to charge the following fees in connection with his application to the undersigned's deposit account 16-1428:

Fee for Section 9 Declaration	\$400.00
Additional Fee for Grace Period of Section 9	\$100.00
Fee for Section 8 Declaration	\$100.00
Additional Fee for Grace Period of Section 8	\$100.00
Issuance of a new Certificate of Registration (Reprinting) showing new owner	\$100.00
Title Report	<u>\$25.00</u>
Total	\$825.00

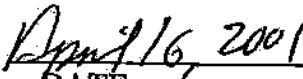
Additionally, you are authorized to charge any additional fees necessary in connection with this filing or credit any overcharges to the Undersigned's deposit account 16-1428.


 MICHAEL F. PETOCK, ESQUIRE
 Registration No. 26,015

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to: Box POST REG FEE, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513, on the date shown below.


 MICHAEL F. PETOCK, ESQ.


 DATE



EXPRESS MAIL CERTIFICATE

No. EL 8410038641 US

LAW OFFICES OF
MICHAEL F. PETOCK

FAX 610-933-9300
MFP@IPLaw-Petock.com
www.IPLaw-Petock.com

INTELLECTUAL PROPERTY ATTORNEY
46 THE COMMONS AT VALLEY FORGE
1220 VALLEY FORGE ROAD
POST OFFICE BOX 856
VALLEY FORGE, PENNSYLVANIA 19482-0856

PATENT, TRADEMARK
AND
RELATED MATTERS

TELEPHONE
610-935-8600

April 16, 2001

ATTORNEY DOCKET 443-1

Box POST REG FEE
Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

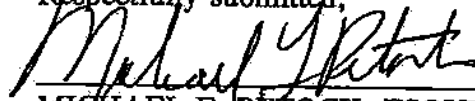
Dear Sir:

I am enclosing herewith the following document(s) set forth below, which are to be filed in the Patent and Trademark Office.

Please charge all government fees with respect to the here-enclosed document(s) to my Deposit Account #16-1428. All government fees with respect to the enclosed document(s) are to be charged to this Deposit Account in the correct amount whether or not the correct amount of the fee or any amount of the fee is indicated below.

Please immediately date stamp and return to me the enclosed postage prepaid post card as acknowledgement of receipt of the enclosed document(s).

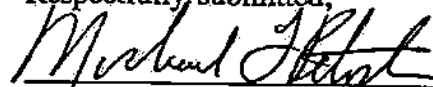
Respectfully submitted,



MICHAEL F. PETOCK, ESQUIRE

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to: Box Post Reg Fee, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA on April 16, 2001.

Respectfully submitted,



MICHAEL F. PETOCK, ESQUIRE

MFP/rkm

Service Mark Entitled: VAN SCOY DIAMOND MINE

Registration No.: 1,140,958

Filed By: Van Scoy Diamond Mines, Inc.

ENCLOSED: Combined Application for Renewal Under Section 9 and Declaration under Section 8 including certificate and sales receipt specimens

FEE: \$825.00

00027

EXPRESS MAIL CERTIFICATE
NO. EL840038641US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mark: VAN SCOY DIAMOND MINE

Registration No.: 1,140,958

International Class: 42

**COMBINED APPLICATION FOR RENEWAL UNDER SECTION 9
AND DECLARATION UNDER SECTION 8**

TO THE COMMISSIONER OF PATENTS AND TRADEMARKS:

Wayne Van Scoy, an individual having a principal place of business at 154 Mundy Street, Wilkes-Barre, Pennsylvania 18702, now owns Registration No. 1,140,958 issued October 28, 1980 by reason of a transfer of rights via a Bankruptcy Proceeding of all right and title to said service mark registration, said service mark and the good will associated with said service mark, said transfer of rights being submitted herewith for recording in the Patent and Trademark Office, be renewed in accordance with the provisions of Section 9 of the Act of July 5, 1946. The registrant requests that the registration be renewed for retail jewelry store services in International Class 42.

Pursuant to Section 8 of the Trademark Act, the owner is using through a related company the mark in commerce on or in connection with retail jewelry store services, as evidenced by the attached certificate and sales receipt specimens showing the mark as currently used in commerce.

If possible, it is requested that the renewed registration be issued with a new certificate of registration (reprinted) showing Wayne Van Scoy as the owner of the

registration. If necessary, you are authorized to procure a trademark title report showing recorded title in the name of Wayne Van Scoy.

Wayne Van Scoy declares: that he is the owner of Registration No. 1,140,958, that the mark shown therein is in use through a related company in interstate commerce in connection with retail jewelry store services as recited in the registration; that the attached certificate and sales receipt specimens show the mark as currently used in connection with said services; that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or document or any registration resulting therefrom.

Please recognize Michael F. Petock, Esquire, a member of the Bars of the Supreme Court of the United States and the Supreme Court of Pennsylvania, Registration No. 26,015, who has a mailing address of P.O. Box 856, Valley Forge, Pennsylvania 19482-0856 and a street address of 1220 Valley Forge Road, Valley Forge, Pennsylvania 19482-0856, telephone number (610) 935-8600, facsimile number (610) 933-9300, as my attorney with full power of substitution and revocation to prosecute this application and to transact all business in connection therewith.


Date: 4-13-01

Wayne Van Scoy
Wayne Van Scoy

You are authorized to charge the following fees in connection with his application to the undersigned's deposit account 16-1428:

Fee for Section 9 Declaration	\$400.00
Additional Fee for Grace Period of Section 9	\$100.00
Fee for Section 8 Declaration	\$100.00
Additional Fee for Grace Period of Section 8	\$100.00
Issuance of a new Certificate of Registration (Reprinting) showing new owner	\$100.00
Title Report	<u>\$25.00</u>
Total	\$825.00

Additionally, you are authorized to charge any additional fees necessary in connection with this filing or credit any overcharges to the Undersigned's deposit account 16-1428.


 MICHAEL F. PETOCK, ESQUIRE
 Registration No. 26,015

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to: Box POST REG FEE, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513, on the date shown below.


 MICHAEL F. PETOCK, ESQ.

April 16, 2001
 DATE



VAN SCOY DIAMOND MINE

154 Mundy Street
WILKES-BARRE, PENNSYLVANIA 18702
(717) 826-0765

Cash Refunds Within 5 Days of Purchase
No Refunds on Special Orders

[illegible]

**All claims and returned goods
MUST be accompanied by this bill.**

Thank You

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Van Scoy Diamond Mine

Registration and Certification

This is to certify that the Diamond(s) purchased by

has been precision-cut by master craftsmen and has been rigidly inspected, is finely cut and carefully selected for excellent proportions, brilliant brilliance, and accepted as meeting our strict standards.

Diamond Shape _____

Precious Metal _____

Registration No. _____

Date of Purchase _____

Lifetime Trade-In Warranty

This diamond will be accepted in trade-in of a diamond of twice the size at the store where originally purchased.

The trade-in allowance will be equal to the price that we are selling any diamond in stock of the same size and quality on that day.

Lifetime Mounting Warranty

The mounting for this diamond is warranted against any and all original defects of material and workmanship.

VAN SCOY DIAMOND MINE

Address _____

Manager _____

VALUE ASSURANCE

This Van Scoy diamond is WARRANTED to be Better Quality than any other store's diamond of the same size and at the price that you paid, when compared, side by side, under a microscope, regardless of whatever grading that other store assigns to their diamond.

Loss of Diamond From Mounting

Should the diamond described herein come loose from the mounting within one year from date of purchase due to original defect in materials and workmanship, The Van Scoy Store where purchased will replace said diamond provided the mounting is returned for inspection to ascertain that the diamond did, in fact, become lost due to original defect in material or workmanship on said mounting.

Even though diamond is the hardest substance known to man ALL diamond jewelry should be treated with care since they can be chipped or scratched by other diamonds.

To be sure that your diamond is safe from loss and damage, take it into any Van Scoy Diamond Mine for cleaning and inspection for damaged prongs, etc., at least every 3 months or AS OFTEN AS YOU WISH, AT NO CHARGE.

Van Scoy Diamond Mine

Penny Chan

RECORDATION FORM COVER SHEET
TRADEMARKS ONLY

Tab settings □ □ □ ▼

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Van Scoy Diamond Mines, Inc.

- ☐ Individual(s) ☐ Association
☐ General Partnership ☐ Limited Partnership
☒ Corporation-State PA
☐ Other _____

Additional name(s) of conveying party(ies) attached? ☐ Yes ☐ No

3. Nature of conveyance:

- ☐ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☒ Other Bankruptcy Court Order & Memorandum

Execution Date: January 4, 2001

2. Name and address of receiving party(ies)

Name: Wayne Van Scoy

Internal Address: _____

Street Address: 154 Mundy StreetCity: Wilkes-Barre State: PA ZIP: 18702☒ Individual(s) citizenship U.S.☐ Association _____☐ General Partnership _____☐ Limited Partnership _____☐ Corporation-State _____☐ Other _____If assignee is not domiciled in the United States, a domestic representative designation is attached: ☐ Yes ☐ No

(Designations must be a separate document from assignment)

Additional name(s) & address(es) attached? ☐ Yes ☐ No

4. Application number(s) or patent number(s):

A. Trademark Application No.(s)

LV NEWS MAIL CERTIFICATENO. EL840038641US

B. Trademark Registration No.(s)

1,140,7111,140,958Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Michael F. Petock, Esquire

Internal Address: _____

Street Address: 46 The Commons at Valley Forge1220 Valley Forge Rd., P.O. Box 856City: Valley Forge State: PA ZIP: 194826. Total number of applications and registrations involved: 27. Total fee (37 CFR 3.41).....\$ 65.00☐ Enclosed☒ Authorized to be charged to deposit account

8. Deposit account number:

16-1428

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Michael F. Petock, Esquire

Name of Person Signing



Signature

1/12/2001

Date

Total number of pages including cover sheet, attachments, and document: 7

EXPRESS MAIL CERTIFICATE
NO. EL840038641US

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF PENNSYLVANIA

IN RE : CHAPTER 7
THOMAS VAN SCOY :
DEBTOR : NO.: 5-94-01241

FILED
WILKES-BARRE, PA
2001 JAN -4 PM 5:00
CLERK U.S. BANKRUPTCY COURT

ORDER APPROVING AGREEMENT IN SETTLEMENT OF ADVERSARY
PROCEEDINGS AND CONTESTED MATTERS, WITH RELEASES
AND OTHER PROVISIONS

AND NOW this 4th day of January, 2009, upon consideration and review of the Agreement In Settlement of Adversary Proceedings and Contested Matters; with Releases and Other Provisions; and after notice and a hearing, it is

ORDERED, that the Agreement in Settlement of Adversary Proceedings and Contested Matters, with Releases and Other Provisions is hereby APPROVED as an order of this Court and the parties are directed to comply with its terms; and it is further

ORDERED, that in Adversary No. 5-95-00347A, the order entered on September 16, 1999, denying the Debtor, Thomas Van Scoy his chapter 7 discharge is hereby VACATED; the Debtor shall receive a chapter 7 discharge by a separate order of this Court; and this adversary proceeding is hereby dismissed with prejudice; and it is further

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ORDERED, that the order dated October 5, 1999, in the main bankruptcy case, allowing an administrative claim in the amount of \$21,225.00 is hereby VACATED; and the motion filed by Thomas and Elizabeth Van Scoy seeking an administrative expense is hereby dismissed with prejudice; and it is further

ORDERED, that in Adversary No. 5-96-00180A, the judgment entered against Mr. and Mrs. Thomas Van Scoy in the amount of \$146,683.43 is hereby VACATED; and the Complaint filed by the Trustee is hereby dismissed with prejudice; and it is further

ORDERED, that in Adversary No. 5-96-00196A, the order enjoining the use of the trademark "Van Scoy Diamond Mines" is hereby VACATED, except as to Richard and Betsy Williams, who are not parties to the Agreement; and any order requiring an accounting by any party is hereby VACATED, except as to Richard and Betsy Williams, who are not parties to the Agreement; and any order of civil contempt is hereby VACATED, except as to Richard and Betsy Williams, who are not parties to the Agreement; and the Complaint is hereby dismissed with prejudice, except as to Richard and Betsy Williams, who are not parties to the Agreement; and it is further

ORDERED, in Adversary No. 5-95-00195A, the judgment against Richard and Betsy Williams shall not be VACATED, and the Complaint of the

Plaintiff/Trustee shall not be dismissed; Wayne Van Scoy is hereby substituted for the Trustee as the party Plaintiff in the adversary; and it is further

ORDERED, that in Adversary No. 5-96-00194A, the judgment against Richard and Pamela Sendrick is hereby VACATED; and the Complaint of the Plaintiff/Trustee is dismissed with prejudice; and it is further

ORDERED, that in Adversary No. 5-99-00077A, the Complaint of the Plaintiff/Trustee is hereby dismissed with prejudice; and it is further

ORDERED, that the objections filed by the Debtor to the Trustee's Application to Compensate Accountants are hereby dismissed with prejudice; and it is further

ORDERED, that the Motion to Compel Abandonment and for Valuation filed by Thomas Van Scoy in the main bankruptcy case is hereby dismissed with prejudice; and it is further

ORDERED, that the above-captioned chapter 7 estate shall hereafter have no further right, title and interest in the trademark "Van Scoy Diamond Mines" and such trademark shall become the sole and exclusive property of Wayne Van Scoy; and it is further

ORDERED, that settlement proceeds of \$70,000.00 shall be paid to Robert P. Sheils, Trustee, as follows: \$45,000.00 shall be paid by Wayne Van Scoy; and

\$25,000.00 shall be paid by Richard and Pamela Sendrick; and these amounts shall be paid no later than January 2, 2001.

BY THE COURT:



JOHN J. THOMAS, JUDGE
U.S. BANKRUPTCY COURT

Wilkes-Barre, Pennsylvania

cc: Joseph G. Murray, Esquire
Robert C. Nowalis, Esquire
Richard and Betsy Williams
Peter J. Hoegen, Esquire
U.S. Trustee's Office
Robert P. Sheils, Jr., Esquire

EL84003864105

**MEMORANDUM RE: TRANSFER OF TRADEMARK AND
SERVICE MARK, REGISTRATIONS, GOOD WILL AND
RIGHT TO RECOVER FOR PAST INFRINGEMENT**

This Memorandum is intended to be attached to the Order of the United States Bankruptcy Court for the Middle District of Pennsylvania dated January 4, 2001 in the matter of in re: Thomas Van Scoy, Debtor.

The attached Order of the Court reflects that all right, title and interest in the mark "VAN SCOY DIAMOND MINE" became the sole and exclusive property of Wayne Van Scoy for good and valuable consideration including a payment of \$45,000.00 paid by Wayne Van Scoy. This included the good will of the business associated with the marks, the registrations covering the marks, and the right to recover for past infringement.

More specifically, Wayne Van Scoy acquired:

1. Trademark Registration No. 1,140,711 for the mark "VAN SCOY DIAMOND MINE" for jewelry and precious stone which was originally issued on October 21, 1980, along with the mark covered by said registration, the good will of the business associated with the mark and the right to recover for past infringement; and
2. Service Mark Registration No. 1,140,958 for the mark "VAN SCOY DIAMOND MINE" for rendering of technical aid and assistance in the establishment and/or operation of retail jewelry stores and for retail jewelry store services which was originally issued on October 28, 1980, along with the mark covered by said registration, the good will of the business associated with the mark and the right to recover for past infringement.

**MEMORANDUM RE: TRANSFER OF TRADEMARK AND
SERVICE MARK, REGISTRATIONS, GOOD WILL AND
RIGHT TO RECOVER FOR PAST INFRINGEMENT**

This Memorandum is intended to be attached to the Order of the United States Bankruptcy Court for the Middle District of Pennsylvania dated January 4, 2001 in the matter of in re: Thomas Van Scoy, Debtor.

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More specifically, Wayne Van Scoy acquired:

1. Trademark Registration No. 1,140,711 for the mark "VAN SCOY DIAMOND MINE" for jewelry and precious stone which was originally issued on October 21, 1980, along with the mark covered by said registration, the good will of the business associated with the mark and the right to recover for past infringement; and

2. Service Mark Registration No. 1,140,958 for the mark "VAN SCOY DIAMOND MINE" for rendering of technical aid and assistance in the establishment and/or operation of retail jewelry stores and for retail jewelry store services which was originally issued on October 28, 1980, along with the mark covered by said registration, the good will of the business associated with the mark and the right to recover for past infringement.

The marks, associated good will and registrations became subject to the Bankruptcy Proceeding in the name of Thomas Van Scoy as Van Scoy Diamond Mines, Inc., the corporation named in the aforementioned registrations as the owner, was an asset of Thomas Van Scoy and was drawn into the Bankruptcy Proceeding along with the registrations, marks and associated good will. Accordingly, the Bankruptcy Court had jurisdiction over the previous owner named in the registrations (Van Scoy Diamond Mines, Inc.), the marks, associated good will and registrations as well as the rights to recover for past infringement. All of the rights and associated good will were transferred to Wayne Van Scoy by the Order of January 4, 2001 of the United States Bankruptcy Court of the Middle District of Pennsylvania.

The Undersigned declares: that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that the statements were made with the knowledge that willful false statements and the like so made punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the registrations identified above.

4-13-01

Date

Wayne Van Scoy
Wayne Van Scoy

EXPRESS MAIL CERTIFICATE

NO. EL840038641US

FAX 610-933-9300
MFP@IPLaw-Petock.com
www.IPLaw-Petock.com

LAW OFFICES OF
MICHAEL F. PETOCK
INTELLECTUAL PROPERTY ATTORNEY
46 THE COMMONS AT VALLEY FORGE
1220 VALLEY FORGE ROAD
POST OFFICE BOX 856
VALLEY FORGE, PENNSYLVANIA 19482-0856

PATENT, TRADEMARK
AND
RELATED MATTERS

TELEPHONE
610-935-8600

April 16, 2001

Trademark Registration Renewal Branch
Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

Re: Renewal Applications of Registration
Nos. 1,140,711 and 1,140,958
My Files: 443-1 & -2

Dear Ladies and Gentlemen:

I am the attorney of record in the above-identified Renewal applications being filed herewith.

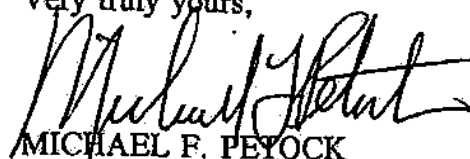
If the information is necessary, please be advised that Wayne Van Scoy is a United States citizen.

As I discussed with one of the Renewal examiners, the documents relating to transfer along with the completed Trademark Recordation Cover Sheet are being filed with the Renewal applications for your convenience so that you will have this information readily available. However, at the appropriate time, please forward these to the Assignment Branch for recordation.

If you have any questions, please do not hesitate to contact me.

I thank you for your assistance in advance.

Very truly yours,


MICHAEL F. PETOCK

MFP04.131
MFP/rkm

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